

Message Text

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ORIGIN OES-07

INFO OCT-01 EA-12 ISO-00 SIG-03 EUR-12 ARA-14 ACDA-12
AGRE-00 AID-05 CEA-01 CEQ-01 CG-00 COME-00
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E.O. 11652: NA

TAGS: EFIS, PLOS, XP PP

SUBJECT: SPRFO DRAFT CONVENTION

THERE FOLLOWS TEXT OF SOUTH PACIFIC REGIONAL FISHERIES
ORGANIZATION DRAFT CONVENTION

BEGIN TEXT

PREAMBLE
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THE CONTRACTING PARTIES TO THIS CONVENTION:

RECOGNIZING THE MUTUAL INTEREST OF THE COASTAL COUNTRIES
OF THE SOUTH, CENTRAL AND WESTERN PACIFIC OCEAN IN THE
LIVING RESOURCES OF THAT REGION;

CONSCIOUS THAT IT IS ESSENTIAL TO INCREASE KNOWLEDGE OF
THE MARINE ECOSYSTEM AND IN PARTICULAR OF THE HIGHLY MIGRA-
TORY SPECIES OF THE REGION;

RECOGNIZING THAT EFFECTIVE REGIONAL COOPERATION IN THE CONSERVATION, UTILIZATION AND MANAGEMENT OF THE LIVING RESOURCES OF THE WATERS OF THE REGION IS NECESSARY SO AS TO SECURE MAXIMUM BENEFITS FOR THEIR PEOPLES AND FOR THE

THE REGION AS A WHOLE;

RECOGNIZING THE VALUE OF COORDINATION AND HARMONIZATION OF FISHERIES POLICIES;

BEARING IN MIND RECENT DEVELOPMENTS IN THE LAW OF THE SEA, RELATING TO THE CONSERVATION AND MANAGEMENT OF LIVING MARINE RESOURCES AND IN PARTICULAR OF HIGHLY MIGRATORY SPECIES;

NOTING THE DECLARATION ON LAW OF THE SEA AND A REGIONAL FISHERIES AGENCY ADOPTED AT THE 8TH SOUTH PACIFIC FORUM HELD IN PORT MORESBY IN AUGUST 1977 AND THE SOUTH PACIFIC CONFERENCE COMMENDATION OF THE DECLARATION ON 30 SEPTEMBER 1977;

DESIRING TO MAKE PROVISION FOR ASSISTANCE TO BE EXTENDED
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TO THE COASTAL COUNTRIES OF THE REGION, AND IN PARTICULAR TO THE DEVELOPING COUNTRIES, IN FORMULATING AND IMPLEMENTING POLICY AIMED AT SECURING MAXIMUM BENEFITS FOR THEIR PEOPLES FROM THE CONSERVATION, UTILIZATION AND MANAGEMENT OF THE LIVING RESOURCES OF THE WATERS UNDER THEIR JURISDICTIONS AND THE CONTROL OF THE EXPLOITATION OF THOSE RESOURCES;

DESIRING ALSO TO FACILITATE THE COLLECTION AND DISSEMINATION OF RELEVANT SCIENTIFIC AND ECONOMIC INFORMATION ABOUT THE LIVING RESOURCES OF THE WATERS OF THE REGION TO PROMOTE THEIR MORE EFFECTIVE CONSERVATION, UTILIZATION AND MANAGEMENT; AND

HAVING DECIDED TO ESTABLISH AN ORGANIZATION THROUGH WHICH THESE OBJECTIVES CAN BE FURTHERED;

HAVE AGREED AS FOLLOWS:

ARTICLE I

1. THIS CONVENTION SHALL APPLY TO THOSE WATERS OF THE SOUTH, CENTRAL AND WESTERN PACIFIC OCEAN (HEREIN REFERRED TO AS "THE REGION"), SEAWARD OF THE TERRITORIAL SEAS, IN WHICH PARTIES EXERCISE JURISDICTION OVER LIVING MARINE RESOURCES IN ACCORDANCE WITH INTERNATIONAL LAW, AND BEYOND THOSE WATERS TO THOSE HIGHLY MIGRATORY SPECIES AS DETERMINED IN ACCORDANCE WITH PARAGRAPH 2 OF THIS ARTICLE.

2. THE CONFERENCE SHALL DETERMINE FROM TIME TO TIME WHICH HIGHLY MIGRATORY SPECIES SHALL COME WITHIN THE COMPETENCE OF THE ORGANIZATION. IN MAKING SUCH DETERMINATIONS, THE CONFERENCE SHALL TAKE INTO ACCOUNT OTHER INTERNATIONAL ARRANGEMENTS DEALING WITH HIGHLY MIGRATORY SPECIES.

3. A PARTY MAY DECLARE AT ANY TIME THAT WATERS WITHIN ITS UNCLASSIFIED

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JURISDICTION THAT ARE NOT WITHIN THE WATERS COVERED BY PARAGRAPH 1 OF THIS ARTICLE SHALL COME WITHIN THE SCOPE OF THE CONVENTION.

ARTICLE II

1. PARTIES TO THIS CONVENTION WHO ASSERT THEIR SOVEREIGN RIGHT TO EXPLORE AND EXPLOIT, CONSERVE AND MANAGE THE LIVING RESOURCES OF THEIR 200-MILE ZONE, INCLUDING HIGHLY MIGRATORY SPECIES OCCURRING THEREIN, SHALL BY INSTRUMENT IN WRITING NOTIFY THE DIRECTOR OF THE ORGANIZATION TO THAT EFFECT.

2. THE PARTIES SHALL TAKE INTO ACCOUNT THE INSTRUMENTS DEPOSITED WITH THE DIRECTOR PURSUANT TO PARAGRAPH 1 OF THIS ARTICLE WHEN CONSIDERING THE WORK OF THE ORGANIZATION. THE PARTIES SHALL COOPERATE IN THE WORK OF THE ORGANIZATION AND SHALL ENDEAVOR TO COORDINATE THEIR POSITIONS TO ENSURE THAT THE PROVISIONS OF ARTICLE VIII, PARAGRAPH 2, SHALL NOT BE GIVEN EFFECT. THE PARTIES SHALL OTHERWISE CONDUCT THEIR FISHERY RELATIONS IN A REASONABLE MANNER IN ACCORDANCE WITH INTERNATIONAL LAW AND ARTICLE 64 OF THE INFORMAL COMPOSITE NEGOTIATING TEXT OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA.

3. A NOTIFICATION BY A PARTY UNDER PARAGRAPH 1 OF THIS ARTICLE SHALL BE RECORDED IN A SCHEDULE WHICH SHALL FORM PART OF THIS CONVENTION.

ARTICLE III

1. THERE IS HEREBY ESTABLISHED THE SOUTH PACIFIC REGIONAL FISHERIES ORGANIZATION (HEREIN REFERRED TO AS "THE ORGANIZATION"). UNCLASSIFIED

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ZATION").

2. THE AIM OF THE ORGANIZATION SHALL BE TO FACILITATE, PROMOTE AND COORDINATE COOPERATION AND MUTUAL ASSISTANCE AMONGST COASTAL STATES IN THE REGION IN FISHERIES MATTERS.

3. FOR THIS PURPOSE, THE ORGANIZATION SHALL CONSIST OF A CONFERENCE OF PARTIES (HEREIN REFERRED TO AS "THE CONFERENCE") AND AN AGENCY (HEREIN REFERRED TO AS "THE AGENCY") WHICH SHALL BE RESPONSIBLE TO THE CONFERENCE IN THE EXERCISE OF ITS FUNCTIONS.

4. THE WORKING LANGUAGES OF THE ORGANIZATION SHALL BE ENGLISH AND FRENCH.

ARTICLE IV

1. THE PERMANENT SEAT OF THE ORGANIZATION SHALL BE AT HONIARA, SOLOMON ISLANDS.

2. UNTIL THE CONFERENCE DECIDES OTHERWISE, THE AGENCY SHALL HAVE ITS TEMPORARY SEAT AT CRONULLA, NEW SOUTH WALES, AUSTRALIA.

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ARTICLE V

1. THE CONFERENCE SHALL CONSIST OF ONE REPRESENTATIVE OF EACH OF THE PARTIES, AND OF TERRITORIES DESIGNATED PURSUANT TO PARAGRAPH 2 OF ARTICLE XV (HEREIN REFERRED TO AS "DESIGNATED TERRITORIES"). EXPERTS AND ADVISERS MAY ACCOMPANY THE REPRESENTATIVE. TWO-THIRDS OF THE REPRESENTATIVES SHALL CONSTITUTE A QUORUM.

2. THE REGIONAL ORGANIZATIONS REFERRED TO BY NAME IN ARTICLE XI MAY PARTICIPATE, IN AN OBSERVER CAPACITY, IN THE WORK OF THE CONFERENCE. THE CONFERENCE MAY INVITE UNCLASSIFIED

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OTHER OBSERVERS TO ATTEND ITS MEETINGS.

3. THE CONFERENCE SHALL HOLD A REGULAR SESSION AT LEAST ONCE EVERY YEAR. A SPECIAL SESSION SHALL BE HELD AT ANY TIME AT THE REQUEST OF ANY PARTY, PROVIDED THAT SUCH REQUEST IS SUPPORTED BY AT LEAST THREE OTHER PARTIES.

4. ALL DECISIONS OF THE CONFERENCE SHALL BE REACHED BY CONSENSUS.

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5. THE CONFERENCE SHALL ADOPT SUCH RULES OF PROCEDURE AND OTHER INTERNAL ADMINISTRATIVE REGULATIONS AS ARE NECESSARY TO CARRY OUT THE FUNCTIONS OF THE ORGANIZATION.

6. (A) THE CONFERENCE MAY ESTABLISH AN ADVISORY COMMITTEE ON HIGHLY MIGRATORY SPECIES TO WHICH REPRESENTATIVES OF THE PARTIES, AND OF DESIGNATED TERRITORIES AND REPRESENTATIVES OF STATES WHOSE NATIONALS FISH FOR HIGHLY MIGRATORY SPECIES IN THE REGION MAY BE INVITED BY THE

CONFERENCE TO BECOME MEMBERS;

(B) THE FUNCTIONS OF THE ADVISORY COMMITTEE SHALL
BE SUCH AS THE CONFERENCE MAY DETERMINE, AND MAY INCLUDE,
IF NECESSARY, THE STUDY OF INCIDENTAL CATCHES OF LIVING

RESOURCES, INCLUDING MARINE MAMMALS, IN FISHERIES CONDUCTED FOR TUNA IN THE WATERS TO WHICH THIS CONVENTION APPLIES.

ARTICLE VI

1. THE CONFERENCE SHALL APPOINT A DIRECTOR OF THE AGENCY ON SUCH CONDITIONS AS IT MAY DETERMINE.

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2. THE OTHER STAFF OF THE AGENCY SHALL BE APPOINTED BY THE DIRECTOR IN ACCORDANCE WITH SUCH RULES AND ON SUCH CONDITIONS AS IT MAY DETERMINE.

3. THE DIRECTOR SHALL SUBMIT TO THE CONFERENCE FOR ITS CONSIDERATION AND APPROVAL:

I. AN ANNUAL REPORT OF THE ACTIVITIES OF THE AGENCY FOR THE PRECEDING YEAR;

II. ANY PROPOSALS PREPARED BY THE AGENCY UNDER ARTICLE VII OF THIS CONVENTION; AND

III. A DRAFT WORK PROGRAMME AND BUDGET FOR THE ACTIVITIES OF THE AGENCY FOR THE SUCCEEDING YEAR.

ARTICLE VII

1. SUBJECT TO DIRECTION BY THE CONFERENCE, THE AGENCY SHALL UNDERTAKE THE FOLLOWING FUNCTIONS:

(A) THE STUDY OF THE LIVING RESOURCES OF THE WATERS TO WHICH THIS CONVENTION APPLIES, WITH PARTICULAR REFERENCE TO HIGHLY MIGRATORY SPECIES, INCLUDING THE COLLECTION, ANALYSIS AND EVALUATION OF RELEVANT STATISTICAL, BIOLOGICAL AND ECONOMIC INFORMATION;

(B) THE PROVISION, ON REQUEST, TO ANY PARTY OR DESIGNATED TERRITORY OF--

I. TECHNICAL ADVICE AND INFORMATION;

II. ASSISTANCE IN ITS FISHERIES NEGOTIATIONS;

III. ASSISTANCE IN THE DEVELOPMENT AND IMPLEMENTATION OF UNCLASSIFIED

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ITS FISHERIES POLICIES;

IV. ASSISTANCE IN THE ISSUE OF LICENSES, THE COLLECTION OF FEES AND IN MATTERS PERTAINING TO SURVEILLANCE AND ENFORCEMENT.

(C) THE PREPARATION OF PROPOSALS FOR CONSIDERATION BY THE CONFERENCE ON REGIONAL COOPERATION FOR THE EFFECTIVE CONSERVATION AND UTILIZATION OF THE LIVING RESOURCES OF THE WATERS TO WHICH THIS CONVENTION APPLIES, BASED ON THE BEST SCIENTIFIC EVIDENCE AVAILABLE AND AIMED AT SECURING MAXIMUM BENEFITS FROM THOSE RESOURCES FOR THE PARTIES, THEIR PEOPLES AND THE REGION AS A WHOLE;

(D) THE FACILITATION, WITHOUT DETRIMENT TO THE SOVEREIGN RIGHTS OF COASTAL COUNTRIES, OF A REGIONAL APPROACH TO MANAGEMENT AND TO LICENSING, INCLUDING AGREEMENT ON GENERALLY APPLICABLE POLICIES AND MEASURES, POOLING OF INFORMATION AND STANDARDIZATION OF PROCEDURES AND FORMS;

(E) THE FACILITATION OF COLLABORATION AMONG COASTAL COUNTRIES AND OF COOPERATION BY OTHERS IN SURVEILLANCE AND ENFORCEMENT;

(F) THE PREPARATION OF PROPOSALS REGARDING DATA COLLECTION, RECORD KEEPING, CATCH, GEAR AND AREA RESTRICTIONS, AND SUCH OTHER MATTERS AS THE CONFERENCE MAY DIRECT;

(G) SUCH OTHER FUNCTIONS GIVING EFFECT TO THE OBJECTIVES SET OUT IN THE PREAMBLE TO THIS CONVENTION AS THE CONFERENCE MAY DECIDE.

2. IN CARRYING OUT THESE FUNCTIONS, THE AGENCY SHALL, TO UNCLASSIFIED

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THE EXTENT POSSIBLE, USE THE TECHNICAL AND SCIENTIFIC SERVICES OF, AND INFORMATION FROM, OFFICIAL AGENCIES OF THE PARTIES AND DESIGNATED TERRITORIES AND INTERESTED INTERNATIONAL ORGANIZATIONS. THE AGENCY MAY ALSO, WHERE NECESSARY, USE OTHER SERVICES AND INFORMATION.

ARTICLE VIII

1. THE CONFERENCE MAY ADOPT RECOMMENDATIONS RELATING TO THE CONSERVATION, UTILIZATION AND MANAGEMENT OF THE LIVING RESOURCES OF THE WATERS TO WHICH THIS CONVENTION APPLIES. SUCH RECOMMENDATIONS SHALL ENTER INTO FORCE ON THE EXPIRATION OF NINETY DAYS FROM THE DATE OF ADOPTION OR ON SUCH LATER DATE AS THE CONFERENCE MAY DECIDE.

2. ANY PARTY MAY, WITHIN NINETY DAYS OF THE ADOPTION OF A RECOMMENDATION, LODGE AN OBJECTION TO IT.

3. WHERE A PARTY GIVES NOTICE TO THE DIRECTOR, NOT LESS THAN THIRTY DAYS BEFORE A MEETING OF THE CONFERENCE CALLING FOR THE REVIEW OF ANY RECOMMENDATION, THAT PARTY MAY, WITHIN NINETY DAYS OF THE CONCLUSION OF THE MEETING,

LODGE AN OBJECTION TO THAT RECOMMENDATION.

4. WHERE AN OBJECTION IS LODGED WITHIN THE NINETY-DAY PERIOD REFERRED TO IN PARAGRAPH 2 OR 3 OF THIS ARTICLE, ANY OTHER PARTY MAY LODGE AN OBJECTION AT ANY TIME WITHIN

THIRTY DAYS OF THE EXPIRY OF THAT PERIOD.

5. A PARTY WHICH LODGES AN OBJECTION WHICH IS NOT WITHDRAWN SHALL NOT BE UNDER ANY OBLIGATION TO GIVE EFFECT TO THE RECOMMENDATION TO WHICH SUCH OBJECTION RELATES.

6. SUBJECT TO THE PROVISIONS OF THIS ARTICLE, THE PARTIES UNCLASSIFIED

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SHALL GIVE EFFECT TO ANY RECOMMENDATION ADOPTED BY THE CONFERENCE UNDER THIS ARTICLE FROM THE DATE OF ITS ENTRY INTO FORCE.

7. ALL RECOMMENDATIONS ADOPTED BY THE CONFERENCE UNDER THIS ARTICLE SHALL, WHILE REMAINING IN FORCE, BE CONTAINED IN A SCHEDULE WHICH SHALL FORM PART OF THIS CONVENTION.

8. THE DIRECTOR SHALL NOTIFY ALL PARTIES AND DESIGNATED TERRITORIES PROMPTLY OF RECOMMENDATIONS ADOPTED BY THE CONFERENCE, OF EACH OBJECTION AND OF EACH WITHDRAWAL OF AN OBJECTION, OF ANY NOTICE UNDER PARAGRAPH 3 OF THIS ARTICLE AND OF THE ENTRY INTO FORCE OF ANY RECOMMENDATION.

9. IF A RECOMMENDATION OF THE CONFERENCE UNDER THIS ARTICLE IS IN FORCE ON THE DAY THAT THIS CONVENTION ENTERS INTO FORCE IN RESPECT OF A NEW PARTY, THAT PARTY MAY LODGE AN OBJECTION TO THE RECOMMENDATION WITHIN NINETY DAYS OF THAT DATE.

ARTICLE IX

1. UNTIL THE CONFERENCE DECIDES OTHERWISE, THE BUDGET OF THE AGENCY SHALL BE PREPARED ANNUALLY BY THE DIRECTOR. THE BUDGET SHALL BE SUBMITTED TO THE CONFERENCE FOR ITS CONSIDERATION AND APPROVAL. THE CONFERENCE MAY REVISE THE BUDGET, IF NECESSARY, AT ANY SPECIAL OR REGULAR SESSION.

2. FOR THE FIRST YEAR OF THE OPERATIONS OF THE ORGANIZATION, THE BUDGET SHALL BE FINANCED BY VOLUNTARY CONTRIBUTIONS.

3. THEREAFTER, THE BUDGET SHALL BE FINANCED WHOLLY OR UNCLASSIFIED

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IN PART, AS MAY BE DETERMINED BY THE CONFERENCE, BY CONTRIBUTIONS ACCORDING TO A FORMULA AGREED TO BY THE

CONFERENCE DURING THE FIRST YEAR OF THE OPERATION OF THE ORGANIZATION. THE FORMULA MAY BE VARIED FROM TIME TO TIME BY THE CONFERENCE.

4. THE ORGANIZATION MAY ACCEPT FROM ANY PRIVATE OR PUBLIC SOURCES FINANCIAL AND OTHER CONTRIBUTIONS FOR THE FURTHERANCE OF ITS OBJECTIVES.

5. IN ADVANCE OF APPROVAL OF THE BUDGET OF THE AGENCY, THE CONFERENCE MAY AUTHORIZE EXPENDITURE UP TO A LIMIT NOT EXCEEDING TWO-THIRDS OF THE PREVIOUS YEAR'S APPROVED BUDGETARY EXPENDITURE.

6. THE CONFERENCE SHALL ADOPT FINANCIAL REGULATIONS FOR THE ADMINISTRATION OF THE FINANCES OF THE ORGANIZATION.

ARTICLE X

1. THE ORGANIZATION SHALL HAVE LEGAL PERSONALITY.

2. THE ORGANIZATION SHALL IN PARTICULAR HAVE CAPACITY TO CONTRACT, TO ACQUIRE AND DISPOSE OF MOVAL AND IMMOVABLE PROPERTY, AND TO SUE AND BE SUED.

3. THE ORGANIZATION AND ITS STAFF SHALL, IN THE STATE IN WHICH THE ORGANIZATION HAS ITS SEAT, ENJOY SUCH PRIVILEGES AND IMMUNITIES AS ARE AGREED BY THE ORGANIZATION AND THAT STATE TO BE NECESSARY FOR THE PROPER DISCHARGE OF THE FUNCTIONS OF THE ORGANIZATION.

4. THE ORGANIZATION MAY CONCLUDE AN AGREEMENT RELATING TO MATTERS REFERRED TO IN PARAGRAPH 3 OF THIS ARTICLE WITH ANY OTHER PARTY, SUBJECT TO THE APPROVAL OF THE UNCLASSIFIED

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CONFERENCE.

ARTICLE XI

THE ORGANIZATION SHALL SEEK TO ESTABLISH AND MAINTAIN

WORKING ARRANGEMENTS WITH THE SOUTHPACIFIC FORUM AND THE SOUTH PACIFIC CONFERENCE AND OTHER REGIONAL AND INTERNATIONAL ORGANIZATIONS WHICH HAVE OBJECTIVES RELATING TO THOSE OF THE ORGANIZATION.

ARTICLE XII

THE PARTIES AND DESIGNATED TERRITORIES SHALL USE THEIR BEST ENDEAVORS TO COLLECT AND FURNISH, ON THE REQUEST OF THE AGENCY, ANY STATISTICAL AND OTHER INFORMATION THE AGENCY MAY NEED FOR THE PURPOSES OF THIS CONVENTION.

ARTICLE XIII

1. EACH PARTY, OR, WHERE APPROPRIATE, EACH DESIGNATED TERRITORY, SHALL TAKE RELEVANT MEASURES IN AREAS UNDER ITS JURISDICTION AND BEYOND THOSE AREAS, TO THE EXTENT PERMITTED UN-ER ITS LAWS AND REGULATIONS, TO ITS NATIONALS AND VESSELS, TO ENSURE THE OBSERVANCE OF THE PROVISIONS OF THIS CONVENTION.

2. THE PARTIES AND DESIGNATED TERRITORIES UNDERTAKE TO COOPERATE WITH EACH OTHER WITH A VIEW TO THE ADOPTION OF EFFECTIVE MEASURES TO ENSURE THE IMPLEMENTATION OF THIS CONVENTION AND THE ACHIEVEMENT OF ITS OBJECTIVES.

ARTICLE XIV

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1. IF ANY DISPUTE ARISES BETWEEN THE PARTIES RELATING TO THE INTERPRETATION OF THIS CONVENTION, THE PARTIES SHALL ENDEAVOR TO SETTLE IT BY NEGOTIATION BETWEEN THEMSELVES. THIS NEGOTIATION SHALL BEGIN WITHIN SIXTY DAYS AFTER RECEIPT OF A REQUEST BY ONE PARTY FROM ANOTHER.

2. ANY DISPUTE WHICH HAS NOT BEEN SETTLED IN ACCORDANCE WITH PARAGRAPH 1 OF THIS ARTICLE MAY BE REFERRED, AT THE REQUEST OF ANY PARTY TO THE DISPUTE, TO THE CONFERENCE.

3. AFTER ALLOWING EACH OF THE PARTIES TO THE DISPUTE AN OPPORTUNITY TO BE HEARD AND, IF NECESSARY, ADOPTING ANY APPROPRIATE MEANS TO INVESTIGATE THE DISPUTE, THE CONFERENCE MAY MAKE RECOMMENDATIONS TO THE PARTIES TO THE DISPUTE CONCERNING ITS SETTLEMENT.

ARTICLE XV

1. THIS CONVENTION SHALL BE OPEN FOR SIGNATURE BY:

A. ANY MEMBER OF THE SOUTH PACIFIC FORUM;

B. ANY INDEPENDENT STATE WHICH, WHETHER WHOLLY OR IN PART, IS SITUATED IN, OR WHICH IS INTERNATIONALLY RESPONSIBLE FOR ANY TERRITORY WHICH, WHETHER WHOLLY OR IN PART, IS SITUATED IN THE PACIFIC OCEAN WITHIN THE AREA SOUTH OF 15 DEGREES NORTH, WEST OF 100 DEGREES WEST, NORTH OF 35 DEGREES SOUTH AND EAST OF 125 DEGREES EAST;

C. ANY TERRITORY SITUATED IN THE AREA DESCRIBED IN PARAGRAPH 1(B) OF THIS ARTICLE WHICH HAS BEEN AUTHORIZED TO SIGN THE CONVENTION AND TO ASSUME RIGHTS AND OBLIGATIONS UNDER IT BY THE GOVERNMENT OF THE STATE WHICH IS INTERNATIONALLY RESPONSIBLE FOR IT;

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(D) ANY INDEPENDENT STATE WHICH SHARES A COMMON INTEREST IN THE CONSERVATION, UTILIZATION OR MANAGEMENT OF THE LIVING RESOURCES OF THE REGION AND WHOSE APPLICATION TO BECOME A PARTY IS SUPPORTED BY TWO-THIRDS OF THE PARTIES TO THE CONVENTION.

2. A. ANY INDEPENDENT STATE WHICH SIGNS THE CONVENTION MAY, AT THE TIME OF SIGNATURE, DECLARE TO WHICH OF ITS TERRITORIES WHICH ARE SITUATED WITHIN THE AREA REFERRED TO IN PARAGRAPH 1(B) AND WHICH ARE NOT ENTITLED TO SIGN THE CONVENTION IN THEIR OWN RIGHT THIS CONVENTION SHALL APPLY;

B. THE SCOPE OF ANY SUCH DECLARATION MADE ON SIGNATURE MAY, AT ANY TIME THEREAFTER, BE EXTENDED BY A FURTHER DECLARATION, TO ANY ELIGIBLE TERRITORY NOT INCLUDED WITHIN THE SCOPE OF THE ORIGINAL DECLARATION.

3. THIS CONVENTION IS SUBJECT TO RATIFICATION, ACCEPTANCE OR APPROVAL.

4. INSTRUMENTS OF RATIFICATION, ACCEPTANCE OR APPROVAL SHALL BE DEPOSITED WITH THE SOUTH PACIFIC BUREAU FOR ECONOMIC COOPERATION (HEREIN REFERRED TO AS "THE DEPOSITORY").

5. EACH STATE OR TERRITORY WHICH SIGNS AND SUBSEQUENTLY RATIFIES, ACCEPTS OR APPROVES THIS CONVENTION SHALL HAVE THE STATUS OF A PARTY.

ARTICLE XVI

RESERVATIONS TO THIS CONVENTION SHALL BE NOT PERMITTED.

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ARTICLE XVII

1. THIS CONVENTION SHALL ENTER INTO FORCE ON THE THIRTIETH DAY FOLLOWING THE DEPOSIT OF THE SIXTH INSTRUMENT OF RATIFICATION, ACCEPTANCE OR APPROVAL.

2. AFTER THE ENTRY INTO FORCE OF THIS CONVENTION IN ACCORDANCE WITH PARAGRAPH 1 OF THIS ARTICLE, THE CONVENTION SHALL ENTER INTO FORCE FOR EACH STATE OR TERRITORY WHICH DEPOSITS AN INSTRUMENT OF RATIFICATION, ACCEPTANCE OR APPROVAL ON THE THIRTIETH DAY FOLLOWING THE DATE ON WHICH SUCH INSTRUMENT IS RECEIVED BY THE DEPOSITORY.

ARTICLE XVIII

1. ANY PARTY MAY PROPOSE AMENDMENTS TO THIS CONVENTION. SUCH AMENDMENTS SHALL BE REFERRED TO THE CONFERENCE FOR APPROVAL AT A REGULAR OR SPECIAL SESSION.

2. PROPOSALS FOR THE AMENDMENT OF THE CONVENTION, AFTER ADOPTION BY THE CONFERENCE, SHALL BE COMMUNICATED TO THE DEPOSITORY WHO SHALL INFORM THE PARTIES THEREOF. EACH PARTY WHICH ACCEPTS AN AMENDMENT SHALL NOTIFY THE DEPOSITORY THEREOF.

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3. ANY AMENDMENT SHALL ENTER INTO FORCE FOR EACH PARTY ACCEPTING THE AMENDMENT ON THE DAY AFTER ITS ACCEPTANCE BY THREE-FOURTHS OF THE PARTIES AND THEREAFTER FOR EACH REMAINING PARTY ON THE DAY ON WHICH THE DEPOSITORY RECEIVES NOTIFICATION OF SUCH ACCEPTANCE.

4. ANY STATE OR TERRITORY WHICH BECOMES A PARTY AFTER A PROPOSED AMENDMENT TO THIS CONVENTION HAS BEEN ADOPTED BY THE CONFERENCE SHALL BE BOUND BY THE CONVENTION AS AMENDED WHEN THE SAID AMENDMENT COMES INTO FORCE.

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ARTICLE XIX

AT ANY TIME AFTER THREE YEARS FROM THE DATE OF ENTRY INTO FORCE OF THIS CONVENTION, ANY PARTY MAY WITHDRAW FROM THE CONVENTION BY GIVING WRITTEN NOTIFICATION OF WITHDRAWAL. WITHDRAWAL SHALL TAKE EFFECT ON DECEMBER THIRTY-FIRST OF THE CALENDAR YEAR FOLLOWING THE YEAR IN WHICH THE DEPOSITORY RECEIVED THE NOTIFICATION OF WITHDRAWAL.

ARTICLE XX

1. THE DEPOSITORY SHALL INFORM STATES AND TERRITORIES WHICH HAVE SIGNED THIS CONVENTION AS WELL AS DESIGNATED

TERRITORIES OF -

A. OTHER SIGNATORIES TO THIS CONVENTION AND OF THE
DEPOSIT OF INSTRUMENTS OF RATIFICATION, ACCEPTANCE OR
APPROVAL IN ACCORDANCE WITH ARTICLE XV AND OF DECLARATIONS
MADE PURSUANT TO PARAGRAPH 2 OF THAT ARTICLE.

B. THE DATE OF ENTRY INTO FORCE OF THIS CONVENTION IN
ACCORDANCE WITH PARAGRAPH 1 OF ARTICLE XVII.

2. THE DEPOSITORY SHALL INFORM ALL PARTIES OF -

A. PROPOSALS FOR THE AMENDMENT OF THIS CONVENTION WHICH
HAVE BEEN ADOPTED BY THE CONFERENCE UNDER ARTICLE XVIII,
NOTIFICATION OF ACCEPTANCE OF SUCH AMENDMENTS AND THE
ENTRY INTO FORCE OF SUCH AMENDMENTS;

B. NOTIFICATION OF WITHDRAWAL MADE IN ACCORDANCE WITH
ARTICLE XIX.

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3. THE ORIGINAL OF THIS CONVENTION, OF WHICH THE ENGLISH
AND FRENCH TEXTS SHALL BE EQUALLY AUTHENTIC, SHALL BE
DEPOSITED WITH THE DEPOSITORY WHO SHALL SEND CERTIFIED
COPIES THEREOF TO SIGNATORIES AND DESIGNATED TERRITORIES
WHICH REQUEST THEM.

4. THE DEPOSITORY SHALL TRANSMIT CERTIFIED COPIES OF
THIS CONVENTION IN THE ENGLISH AND FRENCH TEXTS OF THE
SECRETARY-GENERAL OF THE UNITED NATIONS.

IN WITNESS WHEREOF THE UNDERSIGNED PLENIPOTENTIARIES,
BEING DULY AUTHORIZED THERETO BY THEIR RESPECTIVE GOVERN-
MENTS, HAVE SIGNED THE PRESENT CONVENTION.

DONE AT (BLANK), THIS (BLANK) DAY OF (BLANK) ONE THOUSAND
NINE HUNDRED AND SEVENTY-EIGHT.

SUVA, 10 JUNE 1978

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SAS ID: 2177495
Secure: OPEN
Status: NATIVE
Subject: SPRFO DRAFT CONVENTION
TAGS: EFIS, PLOS, XP, PP
To: CANBERRA WELLINGTON MULTIPLE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/41304f7e-c288-dd11-92da-001cc4696bcc
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